

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

ALFRED R. SIMONE,  
Plaintiff,

v.

C.A. No. 15-327-ML

CAROLYN W. COLVIN, ACTING COMMISSIONER,  
SOCIAL SECURITY ADMINISTRATION,  
Defendant.

**ORDER**

This matter is before the Court on the Plaintiff Alfred R. Simone's ("Simone") objection to a Report and Recommendation "R&R") issued by Magistrate Judge Lincoln D. Almond on May 2, 2016. Although Simone requests this Court "to reject the findings and recommendations made by the United States Magistrate Judge," it is noted that Simone has raised no specific objections to the May 2, 2016 R&R. Rather, Simone takes issue with the Administrative Law Judge's ("ALJ") alleged failure to develop the record, an argument that was not raised before the Magistrate Judge.

Pursuant to Rule 72(b)(2) of the Federal Rules of Civil Procedure, "a party may serve and file specific objections to the proposed findings and recommendations" in an R&R, Fed. R. Civ. P. 72(b)(2); the Rule is not intended to afford the dissatisfied party "another bite at the apple." Travelers Indem. Co. of Illinois v. Shilo Automatic Sprinkler, Inc., 230 F.R.D. 281, 286

(D.R.I. 2005). Moreover, arguments not raised before the Magistrate Judge are not entitled to a *de novo* review by this Court. Paterson-Leitch Co., Inc. v. Massachusetts Mun. Wholesale Elec. Co., 840 F.2d 985, 990 (1st Cir. 1988) ("At most, the party aggrieved is entitled to a review of the bidding rather than to a fresh deal.")

Even if the Court were to consider Simone's objection as properly asserted and on the merits of his arguments therein, the Court finds, as did the Magistrate Judge, that there is substantial evidence in the record to support the ALJ's findings.

Accordingly, this Court adopts the R&R in its entirety. Simone's Motion to Reverse is DENIED and the Defendant's Motion to Affirm is GRANTED.

SO ORDERED.

/s/ Mary M. Lisi

Mary M. Lisi  
Senior United States District Judge  
August 10, 2016